

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 9, 2010

DIVISION ONE

B212711 People (Not for Publication)
v.
Dudley

The judgment is reversed only as to the calculation of Dudley's presentence custody credits. The award of presentence custody credits is modified to reflect that Dudley's conduct credits are 38 days, and his total presentence credits are 77 days. The clerk of the superior court is directed to prepare an amended abstract of judgment and to forward it to the Department of Corrections and Rehabilitation. The judgment is affirmed in all other respects.

Chaney, J.

We concur: Mallano, P.J.
 Johnson, J.

DIVISION TWO

B211186 People
v.
Buford and Ward

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B216073 People
v.
Aguilar

Filed order denying petition for rehearing.

September 9, 2010 (Continued)

DIVISION THREE

B221033 People (Not for Publication)
v.
Sherman Morris

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B219830 People (Not for Publication)
v.
Abdul Khan

The order denying the motion to withdraw the guilty plea is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B215796 Pang
v.
Yauo, et al.

Filed order denying petition for rehearing.

September 9, 2010 (Continued)

DIVISION FIVE

B217336 People (Not for Publication)
v.
Michael Taylor

The judgment is affirmed.

Turner, P.J.

We concur: Kriegler, J.
Kumar, J. (Assigned)

B223959 People (Not for Publication)
v.
Willie Scott

The judgment is modified to include the additional fees, penalties and surcharge set forth in the body of the opinion. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Kriegler, J.
Kriegler, J. (Assigned)

B222039 People (Not for Publication)
v.
Maria Hernandez

The judgment is affirmed.

Kumar, J. (Assigned)

We concur: Turner, P.J.
 Kriegler, J.

DIVISION FIVE (continued)

[illegible]

The case is remanded for a new disposition hearing. The juvenile court must state its disposition for each count separately, refrain from relying on the lapse of time between batteries to avoid application of section 654, and evaluate whether a different exception to section 654 allows for consecutive placement terms. In addition, the juvenile court is to clarify the conditions of probation, ensure the conditions contain language that conforms to constitutional mandates, and require the written disposition order identifying the conditions to be accurate.

Kumar, J. (Assigned)

We concur: Turner, P.J.
 Kriegler, J.

[illegible]

The judgment is affirmed.

Kumar, J. (Assigned)

We concur: Mosk, Acting P.J.
Kriegler, J.

B218761 People (Not for Publication)
v.
Noel Ambrosio

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

September 9, 2010 (Continued)

DIVISION FIVE (continued)

B219171 People (Not for Publication)
v.
Daniel Calderon

The one-year sentence for appellant's assault conviction is ordered stayed pursuant to section 654. Appellant's total sentence is now five years. The judgment of conviction is affirmed in all other respects.

Armstrong, J.

We concur: Turner, P.J.
 Kriegler, J.

B223610 People (Not for Publication)
v.
Martel Anderson

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

B226597 Americanhomekey, Inc.
B224147 v.
Powerhouse Associates, Inc., et al.

Filed order consolidating above captioned appeals.

B219862 People
B221097 v.
Razmik Alchian; Edmund Bolandi

Filed order consolidating above captioned appeals.

DIVISION SIX

B222786 People (Not for Publication)
v.
Alesh L.

The appeal is dismissed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

B218574 In re David Kurtzman on Habeas Corpus (Not for Publication)

We set aside the Board's decision and direct the Board to conduct a new parole-suitability hearing. We vacate the superior court's directions to the Board and remand so that the superior court may issue new directions consistent with *In re Prather*, supra, 50 Cal.4th 238, __ [112 Cal.Rptr.3d 291, 295]. In all other respects, the judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B208070 People (Not for Publication)
v.
Ryles, et al.

The judgments are affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

September 9, 2010 (Continued)

DIVISION SIX (continued)

[illegible]

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B218068 People v. Silva (Not for Publication)

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B216821 Papageorge (Not for Publication)
v.
Marca, et al.

We reverse and remand to allow the trial court to recalculate damages for wrongful occupation under section 3334. In all other respects, the judgment is affirmed. Costs on appeal are awarded to Papageorge.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

September 9, 2010 (Continued)

DIVISION SIX (continued)

B212982 People (Not for Publication)
v.
Alonzo, et al.

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B215188 People
v.
Sutherland

Cause resubmitted.

B220674 Child Protective Services
v.
M.T.

Filed order denying petition for rehearing.

DIVISION EIGHT

B224646 Tamara W. (Not for Publication)
v.
Superior Court, Los Angeles County
(D.C.F.S.)

The petitions are denied. This opinion is final forthwith as to this court under rule 8.264 of the California Rules of Court.

Rubin, Acting P.J.

We concur: Flier, J.
Grimes, J.

September 9, 2010 (Continued)

DIVISION EIGHT (continued)

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The judgment is affirmed.

Grimes, J.

We concur: Rubin, Acting P.J.
Flier, J.

B205446 People
v.
Brinkley

Filed order denying petition for rehearing.